

MINUTES
Montana Fish, Wildlife & Parks Commission Meeting
Helena Headquarters – 1420 East 6th Avenue
Helena, MT 59620
CONFERENCE CALL

January 6, 2005

Commission Members Present: Chairman Steve Doherty, Shane Colton, Victor Workman, John Brenden, Tim Mulligan.

Fish, Wildlife & Parks Staff: Chris Smith; Don Childress, Hank Worsech, Dan Ellison, Ron Aasheim, Jeff Herbert, Jim Kropp, Regena Peterson

Guests: Senator Gary Perry, Bruce Nelson, Mike Voleski, Sarah Elliot, several media representatives.

Chairman Doherty called the conference call meeting to order at 2:00 p.m.

1. Introduction of Newly Appointed FWP Commissioners. **Chris Smith, FWP Chief of Staff**, explained that Governor Schweitzer had just appointed three new Commissioners to replace the three whose terms expired at the end of December. Two Commissioners remain active. Smith introduced the Commissioners.

Chairman Steve Doherty from Great Falls represents District 3.

Shane Colton from Billings represents District 5.

Victor Workman from Whitefish represents District 1

Commissioner Tim Mulligan from Whitehall continues to represent District 2, and Commissioner Brenden continues to represent District 4.

2. Reconsideration of the Commission Decision of December 16, 2004, to Hold a 2004-2005 Bison Hunt. Governor Schweitzer has expressed concerns relative to the bison hunt scheduled for January of 2005, and had requested that the Department converse with the Commissioners on the topic.

Smith explained that the purpose of this conference call is to discuss the possibility of reconsidering the December 16, 2004 Commission decision to allow the hunting of bison. This issue is of major importance to the people of Montana and to the country.

Mulligan explained that at the time of the approval he was concerned about the shortened time frame, the reduced area in which to hunt, and the amount of publicity. His preference was, and still is, to wait a year and hold a full three-month season on a more expansive area. He is **not** opposed to the hunt or the reconsideration of the hunt.

John Brenden said he doesn't have any problem with the hunt, but hunting only 10 head does not accomplish anything. He dislikes blackmail tactics by certain groups, and said there are twice as many buffalo in the Park as there should be. Agriculture is the biggest industry in Montana and risks should not be taken that may introduce Brucellosis into the state. Wyoming has Brucellosis. He said many people have applied for the opportunity to hunt bison, and he has received telephone calls from people who state they will sue the State of Montana if the drawing is cancelled. He doesn't think it would look good for the new Governor, who says he hunts and fishes, to cave in to some pressure groups. There will always be somebody who is dissatisfied with Montana.

Colton said he is not against the harvest of bison, but this hunt seems symbolic, which could do more harm than good. This herd needs responsible management. He suggested the hunt be postponed.

Dougherty said the action today is not to decide whether the hunt should go forward or not, but to decide only if the Commission wishes to reconsider the action made in December. He said if the Commission does not wish to reconsider the decision, then their work is done today. If reconsideration is warranted, a meeting on Monday, January 10 is in order to discuss the situation and take action via a motion. Doherty asked the Department to explain what their plans were if the Commission takes no action.

Smith said that after discussion with Bob Lane, FWP Legal Counsel, his understanding is that the Department takes direction from the Commission, and the current direction is to proceed with the drawing and issue the 10 licenses to initiate the hunt on January 15. That is what the Department will do unless the Commission instructs otherwise. The new Commissioners have the prerogative to reconsider the action and convene on Monday if that is their preference. Smith assured the Commissioners that they would be provided with the information needed should they schedule a meeting on Monday.

Action: Workman moved and Mulligan seconded the motion to reconsider the commission action of December 16, 2004 regarding a 2004-2005 bison hunt in Region 3.

Discussion: Brenden stated he is not in favor of reconsideration of the motion. The Commission made a decision. Hunting ten head of buffalo does not do anything. He feels "caving in" to certain groups will negatively effect Montanans as well as out-of state sportsmen.

Mulligan said his perspective is that FWP is placing ten hunters into a very public situation, which may damage the opportunity to hunt. This hunt is not meant to control the number of bison. The decision made in December was by one Commission, and now the new Commission has to live with it and deal with the repercussions. The right thing to do is to delay the hunt for one more year.

Workman said if the decision is made to stop the hunt this year, it must be clear that it is just a postponement until next year. Mulligan said the tentatives for next year's hunt are going out now.

Action on motion: Motion carried. Four in favor – one opposed (Brenden).

After discussion, it was decided that the Commission will meet at 9:00 a.m. on Monday, January 10, 2005 in Helena.

Mulligan asked if FWP will conduct the drawing on Friday the 7th as planned. Smith said the Department will continue to operate under the December 16, 2004 directive until another directive is received. FWP could draw Friday and hold the results until after the Monday meeting, if the hunt is still scheduled. There are 8,300 people who have applied in hopes of being drawn. He asked for direction from the Commission.

Mulligan noted that non-residents will need as much time as possible to arrange plane and motel reservations and if they are not notified right away, they will have a shorter time to prepare.

Colton said the vote was to reconsider the December decision only. He said it would seem that the Department must operate under the prior directive unless a motion is made to postpone the drawing until after the Monday meeting.

Discussion ensued as to whether the drawing could be conducted and the names of successful applicants withheld. Concern was expressed relative to the privacy act, and for people who need to make travel plans on short notice. Smith said he is not comfortable with conducting the drawing and not releasing the names of the successful applicants.

Doherty asked if the drawing is not held Friday, and the decision on Monday is to conduct the drawing at that time, can successful applicants be notified on Monday. Smith replied to the affirmative - it takes about three hours to draw and post the results.

Workman said if the decision on Monday is to postpone the hunt, the drawing is not necessary. It makes sense to postpone the drawing until the decision is made.

Smith reported that Pat Flowers, FWP Region 3 Supervisor, and Kurt Alt, Region 3 Wildlife Manager, had experience in the past when permits were issued and then cancelled, that people were extremely disappointed. Region 3 prefers to delay the drawing.

Colton said more problems are created if the drawing goes forward, and serious consideration must be made to wait until after Monday. The inconvenience of waiting from Friday to Monday is insignificant.

Action: Colton moved and Workman seconded the motion to postpone the drawing scheduled for Friday, January 7, 2005 until after the January 10, 2005 meeting.

Brenden asked if the money will be returned to the applicants if the drawing is not held. It costs \$5 to generate a refund check for each applicant. Doherty replied that those are valid points, but if the hunt goes forward, there may not be any cost.

Action on motion: Motion carried. Four in favor – one opposed (Brenden).

Action: Mulligan moved and Workman seconded the motion to adjourn the meeting. Motion carried.

Meeting adjourned at 3:00 p.m.

Steve Doherty, Chairman

Christian Smith, Chief of Staff